

**UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS**

CRIMINAL DOCKET NO.: 04-10115-RCL

UNITED STATES OF AMERICA)
)
)
v.)
)
SPENCER GRAY)
Defendant)

**DEFENDANT’S MOTION, PURSUANT TO FED. R. CRIM. P. 7(d), TO STRIKE
SURPLUSAGE FROM THE SUPERSEDING INDICTMENT**

Now comes the defendant, Spencer Gray, by his attorney and moves this Honorable Court to strike the “Notice of Additional Factors”, as it pertains to Mr. Gray, from the Superseding Indictment as it is improper surplusage. As grounds for this Motion, defendant relies on the accompanying memorandum of law.

Respectfully Submitted,
Spencer Gray
By his attorney,

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Dated: November 15, 2004

